



APR 15 2005 4:21PM TTC-PA 650-326-2422

NO.521

P.1

PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/006,069

Filing Date

December 8, 2001

First Named Inventor

Rebar, Edward

Art Unit

1642

Examiner Name

Christopher H. Yaen

Attorney Docket Number

019496-005830US

ENCLOSURES (Check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/ Incomplete Application☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Comments on Examiner's Amendment (2 pages)

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Joe Liebeschuetz

Date

April 15, 2005

Reg. No.

37,505

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 748-4000 on April 15, 2005

Signature

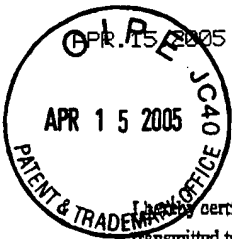
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PATENT
Attorney Docket No.: 019496-005830US
Client Ref. No.: S24-US4

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TOWNSEND and TOWNSEND and CREW LLP

By 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rebar et al.

Pei-Qi Liu
Alan Wolffe
Stephen P. Eisenberg

Application No.: 10/006,069

Filed: December 6, 2001

For: REGULATION OF
ANGIOGENESIS WITH ZINC FINGER
PROTEINS

Customer No.: 20350

Confirmation No. 2374

Examiner: Christopher H. Yaen

Technology Center/Art Unit: 1642

COMMENTS ON EXAMINER'S
AMENDMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance mailed February 23, 2005, applicants wish to make the following remarks of record.

Remarks/Arguments begin on page 4 of this paper.

Appl. No. 10/006,069
Amdt. dated March 16, 2005
Response to Notice of Allowance February 23, 2005

PATENT

REMARKS/ARGUMENTS

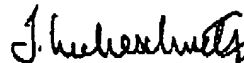
The Examiner's amendment deleted the term "pharmaceutical" from claims directed to pharmaceutical compositions. This amendment appears to reflect the Office's current ideology rather than the merits of this application.

Applicants note for the record that this amendment does not in any way diminish the claim scope. That the specification enables the claimed compositions for pharmaceutical use is evidenced by, for example, the animal model experiments described therein. Furthermore, the pharmaceutical efficacy of the claimed compositions has been demonstrated in two accepted model systems for angiogenesis¹ as described in the following research papers:

Rebar *et al.* (2002) "Induction of Angiogenesis in a Mouse Model Using Engineered Transcription Factors" *Nature Medicine* 8:1427-1432

Dai *et al.* (2004) "Engineered Zinc Finger-Activating Vascular Endothelial Growth Factor Transcription Factor Plasmid DNA Induces Therapeutic Angiogenesis in Rabbits with Hindlimb Ischemia" *Circulation* 110:2467-2475.

Respectfully submitted,



Joe Liebeschuetz
Reg. No. 37,505

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Attachments
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¹ See *In re Brana*, 34 USPQ2d 1436 (Fed. Cir. 1995).